

PROPOSAL

Presenting plan and outline for the preparation of an intensive and authentic report and evaluation of the fair employment practice law, as currently operating in the State of New Jersey.

With the first legislative act on the state level, creating administrative bodies in the states of New York and New Jersey charged with the responsibility of eliminating discrimination in employment because of race, creed, color, national origin or ancestry, there has been unceasing debate upon the feasibility, efficacy and constitutionality of legislation of this nature. These debates invariably deal almost exclusively with conjecture, subjective thinking and apprehension in spite of the fact that in the five Seaboard states alone, there has accumulated a total of nearly 35 administrative years of experience in this type of operation.

Practically nothing in the way of a reference work for specific use or for general reading has been prepared for the American public on this issue. There is the exception of the several brief articles appearing in national periodicals and prepared on the run by free-lance writers; there are also the several doctoral dissertations that have been prepared in American universities to gather dust in university libraries. The heat and intensity of feeling constantly being registered in private and public debate, indicates the very serious need for the kind of report that will reduce the element of conjecture and provide objective findings in the place of the subjective impressions that figure in current debate.

A work that could present analytical examination of the arguments employed on both sides of the controversy and that could present authentic case histories in support of conclusions offered in these analyses, would be of inestimable value to the hundreds of state legislators who perennially are being called upon to consider proposed legislation dealing with fair employment practices. Business men, labor leaders, civic workers, would have access to a standard reference work in which could be found the answers to some of the perplexing questions which are constantly raised. The acceptability of these answers of course would be measured, not alone by the recognized knowledge and the integrity of the writer, but more importantly by the eminence of the institution which would assume a role of sponsorship through publication of such a work. The writer feels that in dealing effectively with a subject possessing such high emotional content, a more than ordinary degree of sensitivity to the more subtle emotional shadings of the problem is an essential requirement. An intimate knowledge of a wide variety of case histories is also a necessary requirement if that sensitivity can be a significant element in interpretations that would be of value to the reader. For this and other reasons, the writer believes that the creator of such a work should be a person intimately associated with the various aspects of the problem of discrimination and the various remedies that have been proposed and employed to relieve these problems. The extent of any possible danger of such an individual being subjective in his reporting could be measured also by the degree to which his administrative responsibilities have caused him to develop something in the nature of scientific self-discipline.

There is an added reason why such a study should be conducted on the basis of the New Jersey experience in administration of fair employment legislation. Of the seven states actively administering effective fair employment practices

laws, New Jersey had the more difficult race relations situation to combat. It too, is the one state that recognized the general public's hope for a panacea as a simple remedy for social ill and designed its law as an "educational" program, thereby reducing the element of opposition to the Act. Never-the-less, the New Jersey Law contains every enforcement feature that is to be found in any of the state laws. Thus, in New Jersey only, is the administering agency a part of the State Department of Education, enjoying the particular type of prestige this arrangement provides without losing any of its effectiveness as a law enforcement agency.

The writer, who proposes to do the work in question, is one of the initial employees of the New Jersey Division Against Discrimination, after a career involving over 20 years of professional experience in the fields of race relations and labor relations. The experience of administering fair employment practices laws, therefore, is to be presented in comparison with the type of program leading to so-called voluntary compliance in the elimination of employment discrimination. The attached biographical sketch provides some indication of the nature of these experiences and the outline presents, tentatively, the substance of which the report would be composed.

The foregoing is presented in brief form as a means of registering the writer's hope and expectation of securing limited financial aid to permit the research and compilation work for the initiation and completion of a report of this nature. Arrangements for leave of absence can be effected with the Commissioner of Education, but the Department is in no way equipped to continue salary or provide expenses incidental to the completion of this task. The writer believes that a period of from six to eight months will be required, this period of time to include the necessary research in the archives of sister states on the Eastern Seaboard and such other research as the outline may indicate. Exclusive of publication costs, the entire project would require a grant estimated as follows:

Author's personal expense, in lieu of salary	\$5,000.
Travel expense	400.
Clerical assistance	800.
Supplies and incidentals	<u>250.</u>
Total	\$6,450.

It was stated above in the financial requirements that the figure presented would be exclusive of publication costs. Again, referring to an earlier paragraph in which reference was made to the eminence of the sponsoring agency, it is the author's expectation that Rutgers University, the state university of New Jersey, would be interested in collaborating with the New Jersey Department of Education in publishing a work of this nature; provided of course, that university officials were satisfied with the author's status, integrity and ability. The task should begin as soon as possible because the need for a reference work of this nature is so great that many other persons may be expected to embark upon a similar course of action, with less adequate preparation or accessibility to valuable and meaningful data.

Respectfully submitted by

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- I. Containing definitions and illustrations to distinguish between Prejudice and Discrimination, as recognizable and remediable social irritants--areas of influence and "disease" carriers--direct and indirect costs to society.
- II. "Education" as a panacea--a review of social studies measuring effects of "education" in the past. Analysis of educational influences, formal and informal, shaping majority-minority group attitudes.
- III. Discussion of Minority group reactions to discrimination--frustrations and spirit of aggression, and other by-products--evolution of group tensions and conflicts--impact of industrial and governmental discriminatory practices upon social relations.
- IV. Examination of the nature and extent of employment discrimination--Urban League approach and case histories in voluntary change--chain reaction of employer--union--employment service--trade school acceptance of discriminatory tactics.
- V. Race Prejudice gone mad--impact of Hitlerism upon Eastern mores--minority unrest and genesis of FEP principle--experiment on state level--federal experiences.
- VI. Report of the beginnings of state remedial legislation--nature of opposition and of support--interpretation and comparison of New York and New Jersey laws--other state experiences.
- VII. Analysis of some arguments against FEP; e.g. "You can't legislate--"; "You can't force these issues", answers to some stock questions--illustrated by case histories.
- VIII. Further analysis of anti-FEP arguments, e.g. "Voluntary compliance"; "government interference"; "jail sentence" action--illustrated by case histories.
- IX. Further analysis of anti-FEP arguments, e.g. "interference with employers' rights"--"forcing employees upon employer"--re-examination of principles of rights and privileges--illustrated by case histories.
- X. Further analysis of anti-FEP arguments; e.g. "creating labor problems for employer"--"offending employees"--"minorities not ready--evaluation of element of offense; to whom, by whom, and with what justifications--case histories.
- XI. Application of FEP Law upon municipal and state agencies and departments--case histories--School teachers and librarians.
- XII. Examination of limitations in efficacy of the Law--difficult areas of correction and enforcement; employment services, transportation; case histories. Statistical report.
- XIII. Report upon educational activities paralleling compliance efforts; e.g. Surveys, addresses, use of audio-visual aids etc.

- XIV. Brief discussion of civil rights law affecting places of public accommodation--correlation with FEP enforcement--case histories (bowling, taverns, swimming pools etc.) School segregation and employment discrimination.
- XV. Review of the role of citizens and of civic organizations.
- XVI. Civil Rights Laws and their significance to the world in which we live.